

PUBLISHED IN THE WICHITA EAGLE ON OCTOBER 17, 2014 028001

Ordinance No. 49-839

**AN ORDINANCE OF THE CITY OF WICHITA
MAKING FINDINGS AND ESTABLISHING THE UNION STATION
REDEVELOPMENT DISTRICT**

WHEREAS, the provisions of 12-1770 et seq., as amended (the “Act”), set forth the procedure for the establishment of a redevelopment district for certain purposes in eligible areas; and

WHEREAS, the Governing Body of the City of Wichita, by Resolution No. R 14-228 dated August 19, 2014, has given notice of its consideration of the establishment of a redevelopment district and described a proposed district plan that identifies all of the proposed redevelopment project areas along with a general description of the buildings and facilities to be constructed or improved; and

WHEREAS, notice of the public hearing was given as required by the Act; and

WHEREAS, the Union Station Redevelopment District area as set forth in Exhibit B (the “Union Station Redevelopment District”) appears to qualify as an eligible area as a “blighted area” under the provisions of the Act, in that the following factors are present and meet a majority of qualifying factors:

- a) a substantial number of deteriorated or deteriorating structures;
- b) unsanitary or unsafe conditions;
- c) deterioration of site improvements;
- d) improper subdivision or obsolete platting or land uses;
- e) the existence of conditions which endanger life or property by fire or other causes;
- f) conditions which create economic obsolescence; and

WHEREAS, the Governing Body of the City of Wichita, finds and determines that the conservation, development or redevelopment of the Union Station Redevelopment District is necessary to promote the general and economic welfare of the City; and

WHEREAS, a public hearing required by the Act has been held and concluded; and

WHEREAS, the Governing Body of the City of Wichita desires to establish a redevelopment district in accordance with the Act that encompasses the Union Station Redevelopment District area;

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS:**

Section 1. The Governing Body hereby finds and determines that the Union Station Redevelopment District as set forth in Exhibit B qualifies as an eligible area as a “blighted area” under the provisions of the Act in that the property has present a majority of factors that substantially impair or arrest the development and growth of the municipality.

Section 2. The conservation, development or redevelopment of the Union Station Redevelopment District is necessary to promote the general and economic welfare of the city. Therefore, a redevelopment district is hereby established that shall hereafter be designated the Union Station Redevelopment District, the description and boundaries of such redevelopment district in the City of Wichita, Sedgwick County, Kansas, are set forth in Exhibit “B” attached hereto and incorporated herein by reference. A map generally outlining the boundaries of the Union Station Redevelopment District is attached hereto as Exhibit “A” and incorporated herein by reference.

Section 3. The redevelopment district plan identifying all the proposed redevelopment project areas along with a general description of the buildings and facilities that are proposed to be constructed or improved in each redevelopment project area is adopted as the redevelopment district plan for the Union Station Redevelopment District, and is set forth in Exhibit “C” attached hereto and incorporated herein by reference.

Section 4. This ordinance shall be in force and effect from and after its passage, approval, and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 14th day of October, 2014.

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

Approved as to Form:

Sharon L. Dickgrafe, Interim City Attorney and Director of Law

EXHIBIT "A"

Proposed Union Station Redevelopment District

City of Wichita, Kansas

Proposed Union Station
Redevelopment District
Property Parcels inside
District
Property Parcels outside
District

Software: ArcGIS 10.1
Hardware: Dell Precision
Printer: HP-5000 Plotter

Map Data Source:
Property Parcels
provided by
Sedgwick County GIS,
Road Centerlines
provided by
City of Wichita

Thursday, July 21, 2012 3:45:01 PM
X:\giswork\PROJECTS\UnionStationRedevelopment.mxd

It is understood that while the City of Wichita Data Center
provides the data for this map, the City of Wichita does not
warrant the accuracy of the data. The City of Wichita
incorporated in the base map, the Data Center GIS per

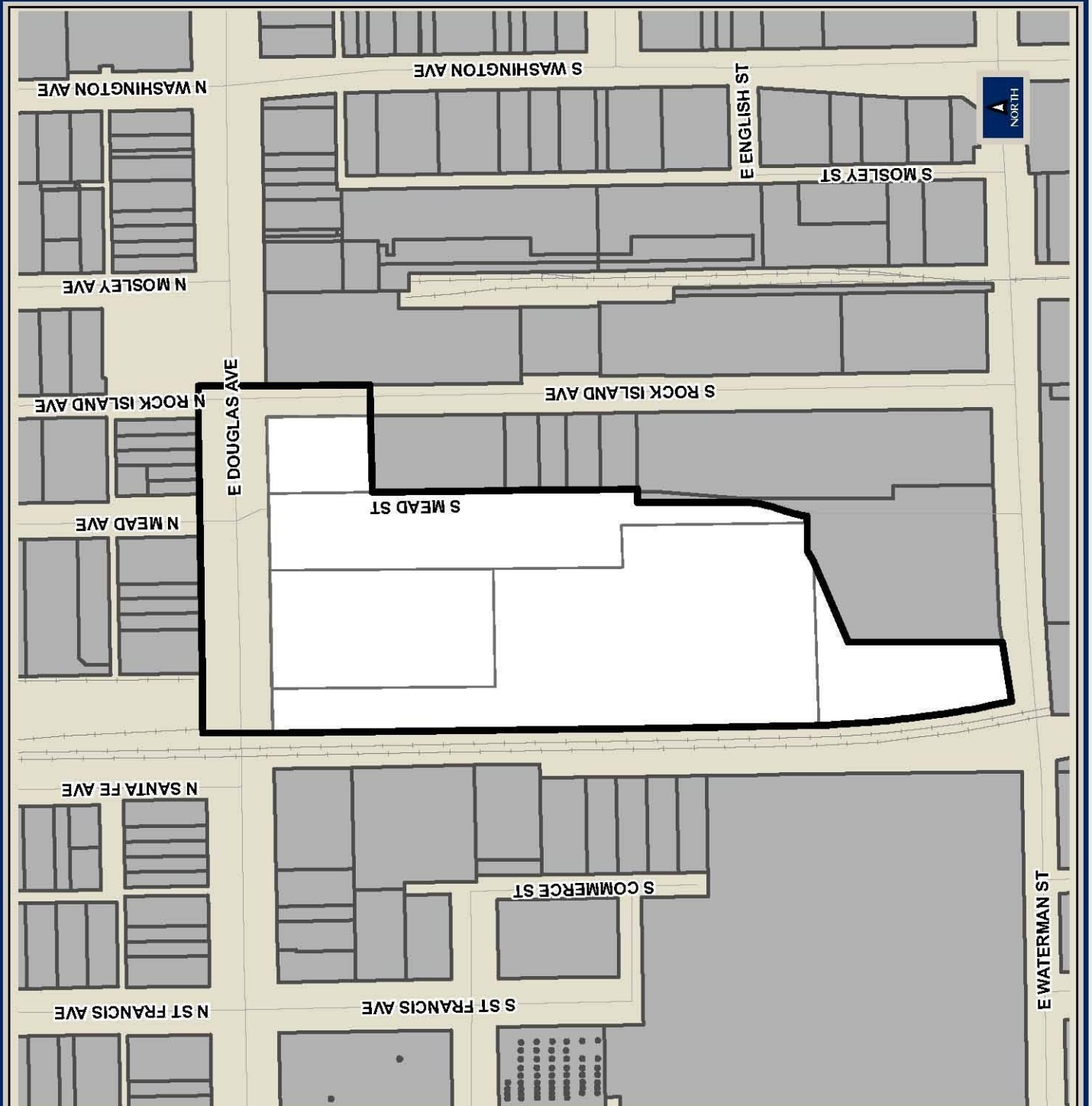


EXHIBIT B

LEGAL DESCRIPTION

That part of the SW1/4 of Sec. 21, T27S, R1E of the 6th P.M., Sedgwick County, Kansas, described as beginning at the northwest corner of Lot 1, Union Station Addition, Wichita, Sedgwick County, Kansas; thence N0°05'00"W along the extended west line of said Lot 1, 114.00 feet to the North Right of way of Douglas Avenue; thence N89°56'00"E along said north right of way, 580.61 feet to the East Right of Way of Rock Island; thence S00°00'00"W, along said east Right of Way, 114.00 feet to the South Right of Way of Douglas Avenue; thence continuing S00°00'00"W, along said east Right of Way, 170.72 feet; thence S89°56'00"W, 185.00 feet; thence S00°00'00"W, 276.30 feet; thence S89°56'W, 3.22 feet; thence S00°02'21"E, 162.89 feet; thence S89°52'30"W, 17.79 feet; thence S00°00'00"W, 174.09 feet to a point of curvature of a curve to the right, said curve having a radius of 165.00 feet and an arc length of 58.13 feet; chord bearing S10°05'32"W, 57.83 feet; thence along said curve, 58.13 feet to a point of reverse curve of a curve to the left, said curve having a radius of 260.00 feet and an arc length of 49.94 feet; thence along said curve, 49.94 feet; thence S89°22'00"W, 57.02 feet; thence S68°20'30"W, 171.05 feet; thence S00°00'00"W, 253.92 feet; thence S83°50'48"W, 101.63 feet; thence N09°45'00"W, 36.96 feet; to a point of curvature of a curve to the right, said curve having a radius of 1883.87 feet and an arc length of 317.84 feet; chord bearing N04°55'00"W, 317.46 feet; thence along said curve, 317.84 feet to a point of tangency; thence N0°05'00"W, 864.61 feet to the point of beginning.

EXHIBIT C
REDEVELOPMENT DISTRICT PLAN FOR THE REDEVELOPMENT
OF THE UNION STATION REDEVELOPMENT DISTRICT
THROUGH TAX INCREMENT FINANCING

October 7, 2014

SECTION 1: PURPOSE

A district plan is required for inclusion in the establishment of a redevelopment district under K.S.A. 12-1771. The district plan is a preliminary plan that identifies proposed redevelopment project areas within the district, and describes in a general manner the buildings, facilities and improvements to be constructed or improved.

SECTION 2: DESCRIPTION OF TAX INCREMENT INCOME

Projects financed through tax increment financing typically involve the creation of an “increment” in real estate property tax income. The increment is generated by segregating the assessed values of real property located within a defined geographic area such that a portion of the resulting property taxes flow to the City to fund projects in the redevelopment district, and the remaining portion flows to all remaining taxing jurisdictions. The portion of property taxes flowing to the City is determined by the increase in the assessed value of the properties within the redevelopment district as a result of the new development occurring within the same area. When the current aggregate property tax rates of all taxing jurisdictions are applied to this increase in assessed property value from new development, increment income is generated. Public improvements within the district and other qualified expenditures are funded by the City and repaid over a specified period of time with this increment income. The property taxes attributable to the assessed value existing prior to redevelopment, the “original valuation,” continue to flow to all taxing jurisdictions just as they did prior to redevelopment. This condition continues for the duration of the established district, as defined by statute, or until all eligible project costs are funded, whichever is of shorter duration.

SECTION 3: DESCRIPTION OF THE DISTRICT BOUNDARIES

The property within the proposed district includes all property generally bounded by the railroad right of way on the west, the north right of way line of Douglas Avenue on the north, the east right of way line of Rock Island from Douglas to the south property line of 801 E. Douglas and the east property line of 725 E. Douglas on the east, and the south property line of 801 E. Douglas and south property line of lot 2 of Union Station Addition, in Wichita, Sedgwick County, Kansas; and including all street rights of way within such described areas. The legal description of the proposed district is attached hereto and incorporated herein as Attachment 1.

SECTION 4: BUILDINGS AND FACILITIES

The district is located within Project Downtown and is further identified as a catalyst site for redevelopment. The buildings are part of the 10 acre Union Station complex along the rail corridor. A majority of the buildings were constructed prior to

1950 and are vacant. Design and layout of the buildings creates an economic obsolescence based on current uses.

The redevelopment district is an area that meets the criteria for designation as a “blighted area” as defined by state law governing the establishment and financing of redevelopment districts. Property within a blighted area is legally eligible for establishment of a redevelopment district.

SECTION 5: REDEVELOPMENT AND PROJECT AREAS

It is anticipated that all property within the redevelopment district will be designated as the “project area” under the redevelopment project plan, which must be adopted by the City Council by a 2/3 majority vote before the expenditure of any tax increment financing funds. The plans for redevelopment of the project area generally call for a full remodel and update of the five existing structures and development of two additional commercial structures for a total of almost 275,000 square feet of retail, restaurant, and office space. It is further anticipated that the project will include construction of a public parking structure.

Tax increment financing may be used to pay for eligible costs, on a pay-as-you-go basis, for land acquisition and site preparation including utility relocations, public infrastructure improvements, such as streetscape, public parking, utility extensions, landscaping, and public plazas. Tax increment financing may not be used for construction of any buildings owned or leased to a private, nongovernmental entity.

SECTION 6: CONCLUSION

After the establishment of the redevelopment district, any redevelopment projects to be funded with tax increment financing will be presented to the Governing Body for approval through the adoption of a redevelopment project plan in accordance with the Act. The Project Plan will identify the specific project area located within the established tax increment financing district and will include detailed descriptions of the projects as well as a financial feasibility study showing that the economic benefits outweigh the costs. The redevelopment project plan must be reviewed by the Metropolitan Planning Commission and submitted to a public hearing following further notification of property owners and occupants, before it can be adopted by a two-thirds majority vote of the Governing Body. Only then can tax increment income be spent on the redevelopment projects.

Tax increment financing does not impose any additional taxes on property located within the redevelopment district. All property within the redevelopment district is appraised and taxed the same as any other property. However, if property within the redevelopment district increases in value as a result of redevelopment, the resulting increment of additional tax revenue is diverted to pay for a portion of the redevelopment project costs.

Attachment 1

LEGAL DESCRIPTION

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